

DUTY STATEMENT

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DUTY STATEMENT

Employee Name: TBD	Current Date: TBD
Classification: Assistant Chief Counsel	Position #:673-110-5871-001
Division/Office: Executive Office	CBID: R02
Section: Legal Office	
Supervisor Name: Ellen M. Peter	Supervisor Classification: Chief Counsel

I certify that this duty statement represents an accurate description of the essential functions of this position.	
Supervisor:	Date:

I have read this duty statement and agree that it represents the duties I am assigned.	
Employee:	Date:

SPECIAL REQUIREMENTS OF POSITION (IF ANY):

- ☒ Designated under Conflict of Interest Code.
- ☐ Duties performed may require pre-employment physical.
- ☐ Duties performed may require drug testing.
- ☐ Duties require participation in the DMV Pull Notice Program.
- ☐ Requires the utilization of a 32-pound self-contained breathing apparatus.
- ☐ Operates heavy motorized vehicles.
- ☐ Requires repetitive movement of heavy objects.
- ☐ Works at elevated heights or near fast moving machinery or traffic.
- ☐ Performs other duties requiring high physical demand. (Explain below):
- ☐ Duties require use of hearing protection and annual hearing examinations.

SUPERVISION EXERCISED

<input type="checkbox"/> None	<input type="checkbox"/> Lead Person
<input checked="" type="checkbox"/> Supervisor	<input type="checkbox"/> Team Leader

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FOR SUPERVISORY POSITIONS ONLY: Indicate the number of positions by classification that this position **DIRECTLY** supervises: Three Attorney IVs, four Attorney IIIs, one Attorney, one Staff Air Pollution Specialist, and one Legal Analyst.

Total number of positions in Section/Branch/Office for which this position is responsible: N/A.

FOR LEADPERSONS OR TEAM LEADERS ONLY:

Indicate the number of positions by classification that this position **LEADS**: N/A.

MISSION OF SECTION: The California Air Resources Board (CARB) is a global leader in protecting air quality, fighting climate change, and furthering environmental justice. CARB's Executive Office plans, organizes, and directs the activities of staff to further the Board's mission. The Legal Office is part of the Executive Office. Its mission is to provide the highest quality legal advice and representation to the Board and staff to support programmatic efforts to improve air quality to protect public health and the environment and to ensure that all legal obligations of CARB are met in carrying out these efforts. The Legal Office provides legal support on a variety of complex topics related to the control of air pollution (criteria pollutants, toxic air contaminants, and greenhouse gases), including, but not limited to: adoption, interpretation, implementation, and enforcement of State and federal environmental and administrative laws and regulations, litigation in conjunction with the Attorney General's Office, personnel matters, contracts, conflicts of interest, hearing procedures, and proposed legislation. The Legal Office maintains the primary responsibility for assisting CARB staff in the development of regulations and the documentation necessary to support their adoption.

CONCEPT OF POSITION: Under the general direction of the Chief Counsel, the Assistant Chief Counsel provides management and supervision to a team of experienced attorneys, analysts, and support staff in the California Air Resources Board's Legal Office. The Assistant Chief Counsel, with broad discretion and independence, performs legal work of the most complex and sensitive nature, including assisting the Office of the Attorney General with the most difficult and complex trial litigation, appellate cases, settlements, post-trial negotiations, legal research, and court hearings. The Assistant Chief Counsel is responsible for the reviewing documents presented to the Board, including agendas and resolutions, for both regulatory and non-regulatory items. The Assistant Chief Counsel represents the Chief Counsel in formulating policy and provides advice regarding departmental programs as required. The Assistant Chief Counsel prepares and reviews legislation, and testifies, on behalf of the Board, before the Legislature; formulates legal policy; and participates as a member of executive management in the development and implementations of Board policy. Other responsibilities include planning, organizing, directing, and reviewing provision of legal services in a wide variety of program areas and in diverse areas of federal and State law.

Under the general direction of the Chief Counsel, the Assistant Chief Counsel independently performs the following duties:

<u>% OF TIME</u>	<u>RESPONSIBILITIES OF POSITION</u>
25%-E	Plans, organizes, and directs staff who provide legal services to CARB. Supervises attorneys and staff who are involved in complex and sensitive litigation, administrative hearings, Board hearings, and Public Records Act requests.

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20%-E	Designs legal strategies to address complex and sensitive legal issues, in cooperation with the Office of the Attorney General. Ensures CARB's compliance with statutorily-mandated requirements. Participates as a member of CARB's executive management, and communicates effectively and professionally with Board members, executive management, and program staff to identify needs, alert them to potential problems with requested work, resolve problems, and develop solutions. Provides guidance and responds with the highest degree of knowledge, tact and diplomacy to issues raised by the Governor's Office, Agency representatives, members of the Legislature, the Executive Officer and other interested parties. Reconciles legal issues involving State/federal/local entities.
20%-E	Reviews rulemaking packages, working with program staff and attorneys to guide and advise them in the development of complex regulations. Ensures adherence to legal requirements and timelines set forth in statute.
10%-E	Prepares and presents statements of complex fact, law, and argument in a clear and logical manner in both written and oral form to ensure accurate advice and recommendations. Reviews incoming and outgoing legal correspondence and memorandums in a variety of subject areas. Recognizes and addresses applicable issues arising from federal, State, and local laws. Assists program staff in various program areas to address complex, multidisciplinary issues. Conducts the most complex and difficult legal research to ensure accurate advice and recommendations.
10%-E	Coordinates and reviews documents prepared by CARB staff and attorneys. Reviews documents presented to the Board, including agendas and resolutions, for both regulatory and nonregulatory items.
10%-M	Oversees staff, providing advice and participating in legislative and administrative hearings on proposed legislation and complex and sensitive regulations related to protecting and promoting air quality. Works with the Office of Legislative Affairs and program staff to prepare and review legislation and testifies before the Legislature on behalf of the Board.
5%-M	Acts as Chief Counsel in the Chief Counsel's absence.